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August 15, 2024

U.S. Magistrate Judge Daniel J. Stewart  
United States District Court  
Northern District of New York  
445 Broadway, Room 409  
Albany, New York 12207

*via CM/ECF*

*Re: Nadine Gazzola, et al. v. Gov. Kathleen Hochul, et al.*  
Case No. 1:22-cv-1134 (BKS/DJS)

To the Hon. Daniel J. Stewart:

This letter is a joint counsel request for modification to one item in the CMP [ECF-83], specifically the Rule 26(a)(1)(A) initial disclosure. Counsel request this be changed from the date of Friday, August 16, 2024 to the date of Friday, August 23, 2024. This is a second request for a 1-week extension.

Counsel have now exchanged one draft each of our proposed discovery stipulations of approximately 10+ pages, each. Each Counsel offered the other a complete draft. We are now in the process of comparing the language and discussing the concerns, given the sensitive content of documents, particularly, e.g., as relates to (for Plaintiffs) security systems and inventory at their shops and (for the State) their law enforcement processes relating to licensed dealers.

Counsel would simply note that we have been actively engaged in communication these past two weeks, which includes the week prior to the first request for an extension. We have discussed whether your assistance is needed. Our thought is that we are working well and anticipate a signed stipulation. We are otherwise continuing to work steadily along with our clients on discovery matters. It is simply a matter of Counsel having a bit more space to complete the stipulation task. We do not believe ourselves to be at an impasse.

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This letter is submitted with pre-filing review and approval as to form of Ms. Cowan. We appreciate the understanding of Your Honor on this point.

Respectfully submitted,

*Paloma A. Capanna*

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c.: Aimee Cowan, Esq., NYS Office of the Attorney General (via CM/ECF)